

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF Terrell Jones	COURT CASE NUMBER 08C586 08c586
DEFENDANT Lt. Dahmen	TYPE OF PROCESS S/C
SERVE NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Hawkins, Corrections Officer, Cook County Dept. of Corrections	
AT ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) CCJ, C/O Legal Dept. 2700 S. California Ave., 2nd. Flr., Div. 5 Chicago, IL 60608	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Terrell Jones, #2007-0057770
Cook County Jail
P.O. box 089002
Chicago, IL 60608

Number of process to be served with this Form - 285	1
Number of parties to be served in this case	9
Check for service on U.S.A.	0

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

FILED
MAY 13 2008
MAY 13 2008 PH

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

DATE

03-03-08**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 3 of 9	District of Origin No. 24	District to Serve No. 24	Signature of Authorized USMS Deputy or Clerk Td	Date 03-03-08
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☒ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

NOT Served

Date of Service
5/8/08

Time
11:00 pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
One	Service fee charged	same	same	same	location see	process sheet # 1 for charge.

REMARKS:

1-04USM 16-miles
2-Hours

UNITED STATES DISTRICT COURT

(DISTRICT)

Waiver of Service of Summons

TO: Terrell Jones

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, Corrections Officer Hawkins

(DEFENDANT NAME)

acknowledge receipt of your request that I waive

service of summons in the action of Terrell Jones vs. Lt. Dahmen

(CAPTION OF ACTION)

which is case number 08C586

(DOCKET NUMBER)

in the United States District Court for the

Northern District of Illinois

(DISTRICT)

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after March 03, 2008

(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

DATE

SIGNATURE

Printed/Typed Name: _____

As _____

TITLE

of _____

CORPORATE DEFENDANT

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown to its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against the defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	William T. Hart	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 586	DATE	2/27/2008
CASE TITLE	Terrell Jones (#2007-0057770) v. Lt. Dahmen		

DOCKET ENTRY TEXT:

Plaintiff Terrell Jones's motion for leave to proceed *in forma pauperis* [#3] is granted. The court orders the trust fund officer at the plaintiff's place of incarceration to deduct \$3.40 from the plaintiff's account for payment to the clerk of court as an initial partial filing fee, and to continue making deductions in accordance with this order. The clerk shall send a copy of this order to the trust fund officer at Cook County Department of Corrections. The claims against Sheriff Michael Sheahan are dismissed, and Sheahan is terminated as a defendant in this case. The clerk is directed to issue summonses for service on the other defendants by the U.S. Marshal. The clerk is further directed to send the plaintiff a Magistrate Judge Consent Form and Instructions for Submitting Documents along with a copy of this order. Plaintiff's motion for appointment of counsel [#4] is denied without prejudice.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Plaintiff, Terrell Jones (#2007-0057770), currently in custody at the Cook County Department of Corrections, has brought this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff asserts that the defendants, Cook County Jail Officers Dahmen (Star number #188), Sgt Krauskopf (#895), and Correctional Officers Hawkins, Monroe, Harris, Phipps, Scott, Michas, and Diaz used excessive force against plaintiff on September 16, 2005, after plaintiff had been beaten by other inmates.

Plaintiff's motion for leave to proceed *in forma pauperis* is granted. Pursuant to 28 U.S.C. § 1915(b)(1), the plaintiff is assessed an initial partial filing fee of \$3.40. The trust fund officer at plaintiff's place of confinement is authorized and ordered to collect the partial filing fee from the plaintiff's trust fund account and pay it directly to the clerk of court. After payment of the initial partial filing fee, the plaintiff's trust fund officer is directed to collect monthly payments from the plaintiff's trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments shall be forwarded to the clerk of court each time the amount in the account exceeds \$10 until the full \$350 filing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify the plaintiff's name and this case number. Plaintiff will remain responsible for this payment obligation, even if transferred to another facility, and the trust fund officer at the Cook County Jail shall notify authorities at any transferee facility of any remaining balance on the filing fee owed by plaintiff.

(CONTINUED)

A TRUE COPY - ATTEST
MICHAEL W. DOBBINS, CLERK
BY: Stacy Paulson
DEPUTY CLERK
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS
DATE: 02-28-2008

isk

STATEMENT (continued)

Under 28 U.S.C. § 1915A, the court is required to conduct a prompt threshold review of the complaint. Here, even accepting plaintiff's allegations as true, the court finds that plaintiff has no federal cause of action with respect to Sheriff Michael Sheahan. Plaintiff alleges neither any personal involvement by this defendant nor a custom or policy rising to the level of a constitutional deprivation to support a claim against Sheahan in his official capacity. *See Perkins v. Lawson*, 312 F.3d 872, 875 (7th Cir. 2002). Sheahan is therefore dismissed as a defendant, and he is terminated as a party to this action.

Plaintiff may proceed with his excessive force claims against the other defendants. Although a more fully developed record may establish that plaintiff's claims are without merit, the remaining defendants must respond to plaintiff's complaint.

The clerk shall issue summonses forthwith and send to plaintiff a Magistrate Judge Consent Form and Instructions for Submitting Documents along with a copy of this order.

The United States Marshals Service is appointed to serve the defendants, Cook County Jail Officers Lt. Dahmen (Star number #188), Sgt Krauskopf (#895), and Correctional Officers Hawkins, Monroe, Harris, Phipps, Scott, Michas, and Diaz. Any service forms necessary for plaintiff to complete will be sent by the Marshal as appropriate to serve these defendants with process. The U.S. Marshal is directed to make all reasonable efforts to serve the defendants. With respect to former jail employees who no longer can be found at the work address provided by the plaintiff, Cook County Department of Corrections officials shall furnish the Marshal with the defendant's last-known address. The information shall be used only for purposes of effectuating service [or for proof of service, should a dispute arise] and any documentation of the address shall be retained only by the Marshal. Address information shall not be maintained in the court file, nor disclosed by the Marshal. The Marshal is authorized to mail a request for waiver of service to the defendants in the manner prescribed by Fed. R. Civ. P. 4(d)(2) before attempting personal service.

The court denies without prejudice plaintiff's motion for the appointment of counsel. Though civil litigants do not have a constitutional or statutory right to counsel, a district court may, in its discretion, "request an attorney to represent any person unable to afford counsel." *Gil v. Reed*, 381 F.3d 649, 656 (7th Cir. 2004), *citing* 28 U.S.C. § 1915(e)(1). However, plaintiff's case currently does not involve complex issues, complex discovery, or an evidentiary hearing, and plaintiff's complaint demonstrates his competence, at least at this stage of the proceeding, to present his claim adequately. Accordingly, the motion for counsel is denied at this time. *Pruitt v. Mote*, 503 F.3d 647, 656-59 (7th Cir. 2007).

Plaintiff is instructed to file all future papers concerning this action with the clerk of court in care of the Prisoner Correspondent. Plaintiff must provide the original plus a judge's copy of every document filed. In addition, plaintiff must send an exact copy of any court filing to the defendants [or to defense counsel, once an attorney has entered an appearance on their behalf]. Every document filed must include a certificate of service stating to whom exact copies were mailed and the date of mailing. Any paper that is sent directly to the judge or that otherwise fails to comply with these instructions may be disregarded by the court or returned to plaintiff.

United States District Court
Northern District of Illinois

SUMMONS IN A CIVIL ACTION

Terrell Jones

Case No: 08-cv-00586

Vs.

JUDGE: William T. Hart

Lt. Dahmen, #188
C/O Michas
C/O Diaz
Sgt. Krauskopf, #895
C/O Hawkins
C/O Monroe
C/O Harris
Officer Phipps
C/O Scott

TO: C/O Hawkins

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon pro se:

Name: Terrell Jones
#2007-0057770
Address: Cook County Jail
P.O. Box 089002
City: Chicago, IL 60608

an answer to the complaint which is herewith served upon you, within [20] days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

By: Haydee Pawlowski
Deputy Clerk

Dated: February 28, 2008

2008 FEB 28 12 00 PM

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me: ^	DATE	
NAME OF SERVER (Print)	TITLE	
<i>Check one box below to indicate appropriate method of service:</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____ </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____ </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: _____ </div> <div> <input type="checkbox"/> Other (specify): _____ _____ _____ </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Executed on _____ <div style="text-align: center;">Date</div> </div> <div style="width: 45%;"> _____ <div style="text-align: center;">Signature of Server</div> </div> </div> <div style="text-align: center; margin-top: 20px;"> _____ <div style="text-align: center;">Address of Server</div> </div>		

^As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Defendants copy

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Terrall-bres

FILED

FEB 27 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

08C0586

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No:

(To be supplied by the Clerk of this Court)

Lt. Dahmen #188; Sgt. Krauskopf #85

C/o Hawkins, C/o Monroe, C/o Harris,

C/o Phipps, C/o Scott, C/o Micas

C/o Diaz

Sheriff Sheeran

"Et al."

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:



COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Terrill Jones
- B. List all aliases: Tyrone Marshall
- C. Prisoner identification number: 20070057770
- D. Place of present confinement: Department of Corrections Cook County Jail
- E. Address: P.O. Box 089002 Chicago, IL 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Lt. Daltman #188
 Title: Lieutenant
 Place of Employment: Cook County Dept. of Corrections
- B. Defendant: Sgt. Krauskopf #895
 Title: Sergeant
 Place of Employment: Cook County Dept. of Corrections
- C. Defendant: (Co.) Harris
 Title: Corrections Officer
 Place of Employment: Cook County Dept. of Corrections

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

II Defendants (cont.)

D. Defendant: (Co) Hawkins

Title: Corrections officer

Place of Employment: Cook County Dept. of Corrections

E. Defendant: (Co) Monroe

Title: Corrections officer

Place of Employment: Dept. of Corrections (Cook County)

F. Defendant: (Co) Phipps

Title: Corrections officer

Place of Employment: Cook County Dept. of Corrections

G. Defendant: (Co) Scott

Title: Corrections officer

Place of Employment: Dept. of Corrections (Cook County)

H. Defendant: (Co) Michas

Title: Corrections officer

Place of Employment: Cook County Dept. of Corrections

I. Defendant: (Co) Diaz

Title: Corrections officer

Place of Employment: Cook County Dept. of Corrections

J. Defendant: Sheriff Sheenan

Title: Deputy Sheriff

Place of Employment: Cook County Dept. of Corrections

III. Exhaustion of Administrative Remedies

You are required to exhaust all your available administrative remedies before bringing an action in federal court.

A. Is there a grievance procedure available at your institution?

YES ☒ NO () If there is no grievance procedure, skip to F.

B. Have you filed a grievance concerning the facts in this complaint?

YES ☒ NO ()

C. If your answer is YES:

1. What steps did you take?

I filed a grievance with social worker Mrs. Richardson
in Division 10 where it was transferred to from Division
11 where incident happened after I came back from J. Stroger Hospital.

2. What was the result?

I received a form of reponse and referral signed by Higher
Official stating referred to internal affairs Dept. and that
the case was being investigated.

3. If the grievance was not resolved to your satisfaction, did you appeal? What was the result (if there was no procedure for appeal, so state.)

NO appeal was filed.

D. If your answer is NO, explain why not:

I was sentenced on my case and immediately transferred to
IDOC for my prison term so I couldn't. But I did give social
worker home address for a contact I was needed to be reached yet,
No response.

E. Is the grievance procedure now completed? YES ☒ NO ()

F. If there is no grievance procedure in the institution, did you complain to authorities? YES () NO ()

G. If your answer is YES:

1. What steps did you take?

2. What was the result?

H. If your answer is NO, explain why not:

IV. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court (including the Central and Southern Districts of Illinois):

- A. Name of case and docket number: _____

- B. Approximate date of filing lawsuit: _____
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

- D. List all defendants: _____

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): _____
- F. Name of judge to whom case was assigned: _____

- G. Basic claim made: _____

- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): _____

- I. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

V. Statement of Claim:

State here as briefly as possible the facts of your case. Describe precisely how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

On Sept. 16th 2005 at 9:30pm while being a detainee in C.E.J. Div. 11 Tier
AD Cell Lower 10 I Terrell Jones was in segregation and was out for my hour
out of my cell along with cells Lower 11 & 12. When about 11-14 other inmates
who had jammed their cell doors to come out Unauthorized by Officers
were all in Lower 3 cell came out to attack me with "Shanks" These
are man-made sharpened metal objects from the light fixtures and
or metal rods taken out of the chockholes of the cell doors. I
Fighting for my life the other inmates from cells 11 & 12. Whose names
are Tyrin Smith and Terrance Scroggins (from cell 12) tried to aide me Cause
I was cornered by this mob into the bathroom and shower. They
Also finally got the attention of the Officers who were all in
the hallway out of site. including the Cop/michas who was working
over tier. I Suffered lacerations and punctured wounds, about my
arms, head, shoulders and through my left hand. When Officers
Hawkins and Monroe came on the tier all the inmates ran back into
their cells and started to flush the objects down the toilets for disposal
As other officers responded I was laying on the floor covered in blood
and injured but the Officers came running in and began
Punching, kicking, and stamping on me. all the while "I'm stating
(continued to next page)

"I'm the victim" and "I'm injured." Other inmates were yelling out of their cells the same thing. The officers then started yelling stop resisting, but how was ~~it~~ when I had a knee in my neck, my injured arm twisted, Officer Michas standing and stamping on my left hand, Officer Phipps punching me in my face while other officers are pounding about me excessively. Lt. Dalton started to yell, "the nurses are here, Nurses Here." Then Sgt. Krauskopf started, "yelling Nurse on Deck." repeatedly, all the while I'm saying ~~I~~ can't breathe I'm not resisting, I'm going to sue. The officers saying how much you want, counting 1 million, 2 million, as they continued to punch me. The Sgt. Krauskopf had to physically ~~roll~~ over and push co/ Diaz, C/o Scott, Phipps, Morris etc. all of them off me saying the nurses are out there. I was then allowed to be seen by nurse. Taken to dispensary then to Cermak, then to John Stinger County Hospital myself, scraggins who suffered a fractured wrist or thumb, and 2 of the attackers. But before taken to Cermak I was interviewed by detectives who were trying to convince me I couldn't sue or press charges cause he claims I was out when it wasn't my hour. He checked the officers log sheet but in fact the officer had let cell be fore stay out a hour extra. then let out my cell 10 & 11. Cell 12 were his workers so they were allowed out. I didn't receive a ticket for being out. One week before this a D-Tier was shook down and searched by officers they found numerous of sharpened and unsharpened metal also hammer doors including broken light fixtures in cells where the metals came from and some ~~in~~. ~~inmates~~: Inmates received tickets. But the lights were not fixed. For further prevention of destruction to get more metal from them.

V. **Relief:**

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.


I FEEL that I should be compensated for the mental, emotional
and PHYSICAL injury I suffered while in custody.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 16th day of December, 2007


 (Signature of plaintiff or plaintiffs)

Terrell Jones
 (Print name)

2007 0057770
 (I.D. Number)

Terrell Jones

Div 1A C.T. P.O. Box 089002

Chicago, IL 60608
 (Address)

Home address: Terrell Jones

4528 S. LAWYER

Chgo. IL 60638